## Coleman, Duane L.

From:

Ross Hutchison < RHutchison@smithcashion.com>

Sent:

Tuesday, May 31, 2016 7:41 AM Coleman, Duane L.; Greg Cashion

To: Cc:

Goerisch, C. David; jbradshaw@wyattfirm.com

Subject:

RE: Johnson Marcraft, Inc. v. Western Surety Company

Last night in response to the below email I inadvertently sent a less than professional response by clicking "replyall." This was not my intention and I apologize.

As stated in my May 30<sup>th</sup> email, today I am in a mediation along with Mr. Cashion but the previously discussed discovery dispute will have my full attention tomorrow. I also agree that future communication should be in writing only as well.

## J. Ross Hutchison



231 Third Avenue North Nashville, TN 37201 Direct (615) 742-8577 Facsimile (615) 742-8556 rhutchison@smithcashion.com

## NOTICE BY SMITH CASHION & ORR, PLC

This message, as well as any attached document, contains information from the law firm of Smith Cashion & Orr, PLC that is confidential and/or privileged, or may contain attorney work product. The information is intended only for the use of the addressee named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this message or its attachments is strictly prohibited, and may be unlawful. If you have received this message in error, please delete all electronic copies of this message and its attachments, if any, destroy any hard copies you may have created, without disclosing the contents, and notify the sender immediately. Unintended transmission does not constitute waiver of the attorney-client privilege or any other privilege.

Unless expressly stated otherwise, nothing contained in this message should be construed as a digital or electronic signature, nor is it intended to reflect an intention to make an agreement by electronic means.

From: Coleman, Duane L. [mailto:dcoleman@lewisrice.com]

**Sent:** Monday, May 30, 2016 10:22 PM **To:** Ross Hutchison; Greg Cashion

Cc: Goerisch, C. David; jbradshaw@wyattfirm.com

Subject: RE: Johnson Marcraft, Inc. v. Western Surety Company

Ross:

Congratulations on the new arrival. I hope everything went well.

Exhibit 9

I am surprised and disappointed by your trailing e-mail, which reflects a serious lack of honesty. When we spoke on May 11 about the deficiencies with Western's discovery responses, you told me your wife was expecting Memorial Day weekend. You also stated that <u>you would call me</u> the